



Textile Rental Services Association of America

Representing the Textile Rental Industry: Linen Supply, Uniform Service, Dust Control and Commercial Laundry Services

February 11, 2008

Mr. Donald S. Clark
Secretary
Federal Trade Commission
600 Pennsylvania Avenue NW
Washington, DC 20580

**RE: GREEN GUIDES REGULATORY REVIEW, 16 CFR PART 260, COMMENT,
PROJECT NO. P954501**

Dear Mr. Clark:

On behalf of the Textile Rental Services Association of America (TRSA), thank you for the opportunity to comment on the Federal Trade Commission (FTC, or commission) review of the Guides for the Use of Environmental Marketing Claims ("Green Guides" or "Guides"). TRSA and its member companies are very proud that our industry is increasingly identified with eco-friendliness by our direct customers and the consumers they serve.

Founded in 1912, TRSA is the world's largest textile rental industry association, representing more than 1,000 industrial laundry facilities in 24 countries. The membership of TRSA represents a cross-section of the industry, including some of the world's largest textile rental companies, along with numerous mid-size and one-plant operations. Our membership includes companies currently doing business in commercial laundering and rental services to commercial, industrial and institutional accounts, as well as firms selling services, equipment and supplies to commercial launderers and linen rental companies.

TRSA's mission is to advance the professionalism of its members and promote their success through government advocacy, education, marketing and business enhancing services. TRSA is committed to addressing the changing needs of the industry, and our members, while striving to surpass industry standards by uniting members through a progressive organization.

Technological and operating advances over the past quarter-century have allowed our industry more and more to distinguish itself as "green." While it has been fortuitous that many of these changes have resulted in lower operating costs, our membership has embraced environmental improvement as a primary goal. TRSA member companies are proud that these efforts have resulted in benefits that have improved the quality of life for society at large. In

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addition to these altruistic outcomes, our selfish desire includes the need for an ample supply of clean water among other uncontaminated inputs.

In partnership with our sister association, the Uniform and Textile Service Association, and in conjunction with the Environmental Protection Agency's (EPA) efforts to establish volunteer programs in lieu of regulations, TRSA in 1999 initiated our Laundry Environmental Stewardship Program (LaundryESP, www.laundryesp.org) The success and significant initial achievements of this ongoing program were presented to the EPA. They include:

- 40 % Reduction - Pollutants Discharged
- 12.6 % Reduction - Water Usage
- 11 % Reduction - Energy Usage
- Significant substitutions of environmentally friendly wash chemicals

More recently, in October 2007, TRSA launched a partnership with Hospitals for a Healthy Environment (H2E, <http://www.trsa.org/h2e/>) to reduce medical waste. H2E was jointly founded by the American Hospital Association, the U.S. Environmental Protection Agency, Health Care Without Harm, and the American Nurses Association. The TRSA-H2E partnership is designed to help medical facilities minimize their environmental footprint through the reuse of linen rather than disposable items since disposable products cause far more ecological damage than reusable linen goods.

With this environmental success, TRSA was therefore very pleased to learn about the Green Guides. Our membership very much appreciates that the FTC has taken an interest in helping to ensure that the consumer is not misled by companies and industries claiming to be "green" even as these representations may run afoul of Section 5 of the FTC Act covering unfair or deceptive acts or practices.

At the same time, our members are disappointed that they were not, for the most part, aware of the existence of the Green Guides prior to the November 27 *Federal Register* notice announcing the commission's intention to update and review them. Rather than dwell on the previous lack of publicity, however, TRSA encourages the FTC to make a better effort to publicize their existence. The fact that TRSA is commenting on the review – although we defer to organizations more expert in the scientific and legal underpinnings to comment on the technical questions posed in the *Federal Register* notice – in itself demonstrates that the review has helped to draw the public's attention.

When the FTC finishes its review and update, TRSA encourages the commission to reach out to trade associations, environmental organizations and agencies such as the EPA to give the Green Guides more publicity and broader dissemination. For its part, TRSA will make their existence more prominent on our Web site and in our environmental programs after the FTC

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finishes the update. It would be helpful if the EPA – as well as other agencies like the Small Business Administration and Department of Commerce – and organizations focused on environmental improvement would join us in making them more prominent on their Web sites and programming as well.

One substantive point lacking from the current Green Guides is a discussion of reusable versus disposal. This is a vital issue for the textile rental industry. Can a company claiming to be “green,” for example, use disposables? If it does, should it ensure that the disposable materials are degradable or at least recycled?

The very use of disposables should be problematic for claims of eco-friendliness. The H2E web site, for example, notes that “America's hospitals generate 6,600 tons of waste each day. Hospitals that have chosen to use disposable products rather than reusables produce a substantially greater amount of solid and medical waste.” Hospitals that use reusable linen and other supplies contribute substantially less to pollution generation and energy use than do hospitals that use disposables. The H2E web site dedicates a full section to discussing why the use of reusable medical products is better for the environment than disposable items. (See <http://cms.h2e-online.org/ee/waste-reduction/waste-minimization/textile/reusedispose/>.)

Like medical waste, the vast majority of other disposable products wind up in either landfills or incinerators. Landfills raise groundwater and other pollution issues, while incinerators result in potentially harmful air emissions. In addition, an environmentally conscious purchaser should take into account the additional amount of energy used to make each replacement for a throw-away disposable.

Because of the potential ecological harm caused by disposable goods, the Green Guides need to provide recommendations for substantiating eco-friendly claims when these products are used.

The FTC should also clarify the effect of the Green Guides on service companies. The Guides address distinctions between products and packaging, for example, but do not discuss processes or how the provision of services or other inputs would be affected by marketing claims.

In addition, it is not apparent how the Green Guides affect a company that does not cater directly to consumers. This is likely one reason that TRSA staff in the past did not make the connection as to the importance of the Green Guides on the eco-friendly claims of our membership and industry. TRSA understands that, by statute, the consumer protection function of the FTC is directed to protect the buying public and is not focused on business-to-business transactions. Nevertheless, diners patronizing a restaurant, for example, touting itself as “green” as well as organic will want assurance that the establishment’s suppliers leave at most a minimal

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environmental footprint. Therefore, the Guides should deal with what role suppliers play regarding a company's green marketing claims

TRSA is very pleased that the FTC is reviewing its Green Guides. As the *Federal Register* notice points out, much has happened over the past decade. The commission's review has also drawn much-needed attention to the Guides. TRSA looks forward to working with the appropriate staff as this exercise progresses. In particular, we pledge to keep our membership informed as developments warrant and hope that the commissioners and commission staff will continue to be available to help our membership understand their obligations in portraying themselves as a "green" industry. Thank you, again, for this opportunity and do not hesitate to let me know if you would like TRSA to supply additional information.

Sincerely,

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